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The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Buchanan Construction Company--Request for
Reconsideration

File: B-224171.3

Date: March 19, 1987

DIGEST

Reconsideration request that merely reiterates prior arguments is denied.

DECISION

Buchanan Construction Company requests reconsideration of our decision, Buchanan Construction Co., B-224171.2, Feb. 12, 1987, 87-1 CPD ¶ _____, in which we denied Buchanan's protest of the award of a contract to another firm under invitation for bids (IFB) No. DAHA40-86-B-0007, issued by the Property and Fiscal Officer for Tennessee for construction of a medical training and dining facility for the Tennessee National Guard. We deny the reconsideration request.

In our original decision, we held that Buchanan was not entitled to award because funding was available for the base bid items only and Buchanan was not the low bidder on these items. The bid schedule had asked for a "Total Amount for Base Bid" (items 1-5) and "Total All Bids" (the base bid items plus five additive items). Buchanan's total base bid was higher than the awardee's base bid. Buchanan had written on its bid envelope "Cut Total All Bids \$41,000." The protester argued that the entire \$41,000 reduction should be taken from its base bid, which would make it the low bidder on those items. We concluded that it was unclear from the instruction that the entire reduction was to be taken from the base bid items. Since in our view there was no rational basis upon which to allocate the reduction between the base and additive items, we held that Buchanan's bid should be evaluated without the reduction.

In its request for reconsideration, Buchanan essentially reiterates the arguments that it made in its original protest. We did not find those arguments persuasive then and we do not find them persuasive now. Since Buchanan has not

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presented anything indicating that our decision contains errors of law or provided any information not previously considered, we deny the request for reconsideration. Bid Protest Regulations, 4 C.F.R. § 21.12(a) (1986).

for Seymour E. Fros
Harry R. Van Cleve
General Counsel